

Treasury Documentation**Subject:** Internal Investigations, Employee Assistance and Cooperation**For:** EMPLOYEE HANDBOOK
SUPERVISOR HANDBOOK**Also See:** BT-03049; PT-03095

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	Policy
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Internal Investigations and Administrative Inquiries

Treasury's Human Resources (HR) Division is responsible for directing any investigation involving the violation of law, Departmental policies or procedures, and any other irregularities involving Treasury employees. (See Procedure PT-03095 in the Employee Handbook on Treasury's Intranet for additional information.) Internal investigations and administrative inquiries are a high priority of the Department of Treasury.

If the HR Administrator determines that an employee's assistance is needed in an investigation (due to the employee's knowledge or professional credentials), he or she is required to provide such assistance. Appropriate notification will be made through normal supervisory channels. The employee may also be directed to provide a verbal or written report in conjunction with an investigation. Any additional assistance as requested by HR shall also be provided.

Disciplinary Investigations

The following requirement appears in Bulletin BT-03049, in the Employee Handbook, regarding employee conduct:

"Employees are required to fully and truthfully answer questions pertaining to job-related matters or conduct which is under investigation when ordered to do so by an authorized representative of the employer. Job-related matters include, but are not limited to, on-duty conduct, conduct which has an adverse impact on the employment relationship, and the use of department materials, supplies, equipment or property. Employees are subject to discipline, including discharge, for refusing to answer questions when advised that answers will not be used in any subsequent criminal proceedings and that refusal to answer will be considered insubordination."

Whenever an investigation or administrative inquiry could reasonably be expected to result in disciplinary action, the preceding paragraph should be read to the employee prior to an interview, followed by a direct order to respond to questions fully and truthfully (subject to the limitation set forth below for criminal conduct). If necessary, employees who are witnesses can be compelled to provide responses in the same manner as the employee who is the focus of an administrative inquiry. An authorized representative of the employer also has the right to compel an employee to attend and participate in an administrative inquiry, produce relevant job-related documents or materials, and otherwise cooperate in internal investigations or administrative inquiries.

As used herein, “authorized representative of the employer” includes any supervisor, manager, administrator or executive in a position of authority over the employee, or any representative of the Department of Treasury assigned to investigate allegations of misconduct, harassment or other inappropriate behavior.

This Policy does not abrogate rights existing under law and collective bargaining agreements. It shall have no impact on an employee’s right to representation or any other benefit to which the employee is otherwise entitled.

Allegations of Criminal Conduct

Since a statement made under threat of discipline is inadmissible in criminal proceedings, statements should **not** be compelled (i.e., an employee should not be required to respond) when there is reason to believe that criminal prosecution will occur. In this situation, administrative inquiries must be coordinated with the agency investigating the criminal allegations through HR. HR will contact the appropriate law enforcement authorities when circumstances warrant their notification, as provided in Procedure PT-03095.

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